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**Federal Communications Commission**

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**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Laurens County	)	File No.: EB-FIELDSCR-13-00011306
	)	
Owner of Antenna Structure No. 1273671	)	NOV No.: V201332480032
	)	
Dublin, GA	)	
	)	

**NOTICE OF VIOLATION**

**Released: September 24, 2013**

By the District Director, Atlanta Office, South Central Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's rules (Rules)<sup>1</sup> to Laurens County, owner of antenna structure number 1273671 in Dublin, GA. Pursuant to Section 1.89(a) of the Rules, issuance of this Notice does not preclude the Enforcement Bureau from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violation(s) noted herein.<sup>2</sup>

2. On September 10, 2013, an agent of the Enforcement Bureau's Atlanta Office inspected antenna structure number 1273671 located at 32° 29' 31.4" N latitude and 082° 55' 31.8" W longitude, and observed the following violation(s):

- a. 47 C.F.R. § 17.23: "Unless otherwise specified by the Commission, each new or altered antenna structure to be registered on or after January 1, 1996, must conform to the FAA's painting and lighting recommendations set forth on the structure's FAA determination of 'no hazard' ...." The FCC's Antenna Structure Registration (ASR) database and the FAA's determination of no hazard currently specifies that antenna structure number 1273671 requires medium intensity white flashing obstruction lighting during daytime hours and red obstruction lighting during nighttime hours in accordance with FAA circular number 70/7460-1K, chapters 4, 8 and 12. The antenna structure does not conform to these recommendations. The agent observed that the tower is not equipped with white lights during daytime hours, but

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<sup>1</sup> 47 C.F.R. § 1.89.

<sup>2</sup> 47 C.F.R. § 1.89(a).

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instead is painted with daytime obstruction marking. In order to come into compliance with the Commission's rules, Laurens County must do one of the following: (1) obtain new FAA "no hazard" determinations indicating that the current lighting systems are permitted and then submit modified antenna structure registrations to reflect the new "no hazard" determinations, (2) submit modified registrations if new FAA "no hazard" determinations already have been obtained, or (3) come into compliance with the current requirements.

- b. 47 C.F.R. § 17.4(g): "... the Antenna Structure Registration Number must be displayed in a conspicuous place so that it is readily visible near the base of the antenna structure. Materials used to display the Antenna Structure Registration Number must be weather resistant and of sufficient size to be easily seen at the base of the antenna structure." At the time of inspection, the Antenna Structure Registration Number was not posted at the base of the structure.

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,<sup>3</sup> and Section 1.89 of the Rules, we seek additional information concerning the violations and any remedial actions taken. Therefore, Laurens County must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain each violation, including all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and (iii) must include a time line for completion of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.<sup>4</sup>

4. In accordance with Section 1.16 of the Rules, we direct Laurens County to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Laurens County with personal knowledge of the representations provided in Laurens County's response, verifying the truth and accuracy of the information therein,<sup>5</sup> and confirming that all of the information requested by this Notice which is in its possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.<sup>6</sup>

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<sup>3</sup> 47 U.S.C. § 403.

<sup>4</sup> 47 C.F.R. § 1.89(c).

<sup>5</sup> Section 1.16 of the Rules provides that "[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person . . . . Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : 'I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)'." 47 C.F.R. § 1.16.

<sup>6</sup> 18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

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5. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission  
Atlanta Office  
3575 Koger Blvd., Suite 320  
Duluth, GA 30096

6. This Notice shall be sent to Laurens County at its address of record.

7. The Privacy Act of 1974<sup>7</sup> requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance.

FEDERAL COMMUNICATIONS COMMISSION

Douglas Miller  
District Director  
Atlanta District Office  
South Central Region  
Enforcement Bureau

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<sup>7</sup> P.L. 93-579, 5 U.S.C. § 552a(e)(3).